

07-25-00

A

07/24/00
 10853 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL

New nonprovisional application under 37 CFR §1.53(b)

Box Patent Application
 Assistant Commissioner for Patents
 Washington, DC 20231

Application SC/File No.	
Filing Date	July 24, 2000
First Inventor	Drew Shaffer Roselli
Express Mail No.	EL328296290US
Attorney Docket No.	ATAE-01015US0 DEL


10853 U.S. PTO
 07/24/00

07/24/00

ENCLOSURES

<input checked="" type="checkbox"/> FEE TRANSMITTAL FORM and check	1 Page (+ check)
<input checked="" type="checkbox"/> STATEMENT CLAIMING SMALL ENTITY STATUS {37 CFR §1.9(f) & 1.27(c)} SMALL BUSINESS CONCERN	2 Pages
<input checked="" type="checkbox"/> Utility Patent Application	
Specification entitled: FAULT-TOLERANCE FRAMEWORK FOR AN EXTENDABLE COMPUTER ARCHITECTURE	94 Pages
Drawings (37 CFR §1.152)	11 Pages
<input checked="" type="checkbox"/> POST CARD	1 Page

CORRESPONDENCE ADDRESS

Customer No/Bar Code Label	021603 
Name	David E. Lovejoy
Address	4 Embarcadero Ctr., Suite 400 San Francisco, CA 94111-4156
Tel/Fax	Tel:(415) 362-3800 Fax: (415) 362-2928

SIGNATURE OF ATTORNEY

David E. Lovejoy (Reg. No.22,748)		Signature Date: July 24, 2000
--------------------------------------	---	----------------------------------

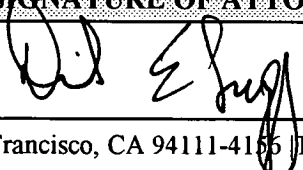
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEE TRANSMITTAL FORM (FY 2000)	Application SC/File No.	
	Filing Date	July 24, 2000
	First Inventor	Drew Shaffer Roselli
Total Amount of Payment: \$822.00		Express Mail No. EL328296290US
		Attorney Doc. No. ATAE-01015US0 DEL

METHOD OF PAYMENT
<input checked="" type="checkbox"/> Payment Enclosed: Check in the amount of \$822.00
<input checked="" type="checkbox"/> Deposit Account 06-1325: The Commissioner is authorized to charge any fee (including any fee required under 37 CFR §§1.16, 1.17, 1.18 or otherwise) if no Payment Enclosed, and is authorized to charge any additional fees and credit any over payment associated with this communication to the Deposit Account.

CLAIM FEE CALCULATION								
	No. Filed	No. Paid		No. Extra		FEE		Calculations
Total Claims	73	-20	=	53	X	\$ 18 (9)	=	\$477.00
Independent	2	-3	=	0	X	\$ 78 (39)	=	\$0.00
Multiple Dep.	0					\$260 (130)	=	\$0.00
Basic Fee						\$690 (345)	=	\$345.00
A small entity statement (37CFR§ 1.27) is filed in this application. <u> X </u> 1							Subtotal	\$822.00

ADDITIONAL FEES			
Large Entity Fee	Small Entity Fee	Fee Description	Amount
			\$00.00

SIGNATURE OF ATTORNEY		
David E. Lovejoy (Reg. No.22,748)		Date (mm/dd/yy): 07/24/00
4 Embarcadero Ctr., Suite 400 San Francisco, CA 94111-4155 Tel:(415) 362-3800 Fax: (415) 362-2928		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT CLAIMING SMALL ENTITY STATUS

{37 CFR §1.9(f) & 1.27(c)} SMALL BUSINESS CONCERN

Patent or Application No.	
Filed Or Issued Date	July 21, 2000
Title	FAULT-TOLERANCE FRAMEWORK FOR AN EXTENDABLE COMPUTER ARCHITECTURE
Attorney Docket No.	ATAE-01015US0 DEL

I hereby state that I am (check [☒] one of the following):

[☐] the owner of the small business concern identified below:

[☒] an official empowered to act on behalf of the small business concern identified below:

NAME OF SMALL BUSINESS CONCERN: Market Engine Corporation

ADDRESS OF SMALL BUSINESS CONCERN: 2140 Shattuck Avenue, Suite 710, Berkeley, CA 94704

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §121 for purposes of paying reduced fees to the United States Patent and Trademark Office.

Questions as to size standards that qualify as a *small business concern* may be directed to Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

Under 13 CFR §121, size standards are expressed either by the number of employees or annual receipts in millions of dollars of the business concern, including those of its affiliates. Generally, a concern qualifies as a *small business concern* if the number of its, together with its affiliate's, employees does not exceed 500 persons and its, together with its affiliate's, annual revenue does not exceed \$5 million.

For purposes of *small business concern* qualification, (1) the number of employees is the average over the previous fiscal year of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year of the business concern and its affiliates, and (2) business concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both. Further information concerning *small business concern* qualification is available at web addresses: <http://www.sba.gov/regulations/121a.html> and <http://www.sba.gov/regulations/121b.html>.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in (check [☒] one of the following):

[☒] the specification filed herewith with title as listed above.

[☐] the application identified above.

[☐] the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

Each person, concern or organization having any rights in the invention is listed below (check [☒] one of the following):

[☒] No such person, concern or organization exists.

[☐] Each such person, concern or organization is listed below.

1st Entity

NAME: _____

ADDRESS: _____

STATUS: [☐] Individual [☐] Small Business Concern [☐] Nonprofit Organization

2nd Entity

NAME: _____

ADDRESS: _____

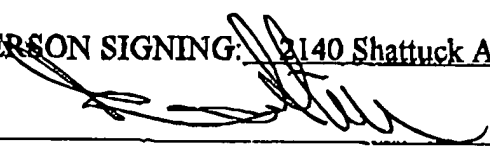
STATUS: [☐] Individual [☐] Small Business Concern [☐] Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR §1.28(b)).

NAME OF PERSON SIGNING: Behrooz Ataee

TITLE OF PERSON SIGNING IF OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 2140 Shattuck Avenue, Suite 710, Berkeley, CA 94704

SIGNATURE: 

Date July 20, 2000